

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

GEORGE W. FISHER, JR.,

Plaintiff,

v.

LAURENT D. JAVOIS, et al.,

Defendants,

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No. 4:13CV2421 RWS

MEMORANDUM AND ORDER

Before the Court is plaintiff's motion for reconsideration of the Eighth Circuit Court of Appeals' denial of plaintiff's request to proceed in forma pauperis on appeal. Plaintiff, who is currently a civil detainee at Fulton State Hospital in Fulton, Missouri, states that he has only \$1.00 in his account at this time, and he claims he cannot pay the \$505.00 appellate filing fee.

Although this Court cannot reconsider the appellate court's denial of plaintiff's request to proceed in forma pauperis, this Court, who is in charge of ascertaining whether plaintiff has sufficient funds to pay a filing fee, can make a determination that due to insufficient funds, no filing fee can be collected at this time. After reviewing the financial information plaintiff has provided to the Court, and reviewing plaintiff's status as a civil detainee¹, the Court will make such a finding at this time.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for reconsideration as to his motion to proceed in forma pauperis on appeal [Doc. #20] is **DENIED**.

¹Although prisoners must pay the full filing fee as part of the Prison Litigation Reform Act ("PLRA"), the PLRA does not apply to civil detainees.

IT IS FURTHER ORDERED that due to plaintiff's status as a civil detainee and plaintiff's insufficient funds, the Court will waive collection of the \$505 appellate filing fee at this time.

Dated this 14th day of October, 2015.

A handwritten signature in black ink, appearing to read "Rodney W. Sippe", written over a horizontal line.

RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE